

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

DR. ALAN SACERDOTE et al.,

*Plaintiffs,*

v.

NEW YORK UNIVERSITY,

*Defendant.*

1:16-cv-06284-KBF

ECF Case

**DECLARATION OF JOEL D. ROHLF**

I, Joel D. Rohl, hereby declare as follows:

1. I am an attorney with the law firm of Schlichter Bogard & Denton, counsel for Plaintiffs, in the above-captioned action and I have personal knowledge of the facts set forth herein, except where otherwise noted. I respectfully submit this Declaration in support of Plaintiffs' Opposition to Defendant's Motion to Exclude Plaintiffs' Expert Gerald Buetow.

2. On November 28, 2017, the parties agreed to exchange affirmative expert reports on December 22, 2017 and rebuttal expert reports on January 22, 2018. The parties did not mention reply reports in this agreement.

3. Attached hereto as Exhibit 1 is a true and correct copy of the excerpts from the deposition of Gerald Buetow taken on February 15, 2018.

4. Attached hereto as Exhibit 2 is a true and correct copy of the CREF Semiannual Report dated December 31, 2010.

5. Attached hereto as Exhibit 3 is a true and correct copy of the CREF Semiannual Report dated June 30, 2011.

6. Attached hereto as Exhibit 4 is a true and correct copy of the Fiduciary Due Diligence Report dated December 31, 2009 by Cammack LaRhette (CLC0021496) and produced by third-party Cammack.

7. Attached hereto as Exhibit 5 is a true and correct copy of the Fiduciary Due Diligence Report dated December 31, 2011 by Cammack LaRrette (CLC0026945) and produced by third-party Cammack.

8. Attached hereto as Exhibit 6 is a true and correct copy of the Fiduciary Due Diligence Report dated June 30, 2013 by Cammack LaRheete (CLC0036071) and produced by third-party Cammack.

9. Attached hereto as Exhibit 7 is a true and correct copy the NYU School of Medicine 403(b) Retirement Plan Investment Options Comparative Chart by TIAA dated December 31, 2010 (TIAA\_NYU\_00044715) by and produced by third-party TIAA.

10. Attached hereto as Exhibit 8 is a true and correct copy of the Plan Investment Notice dated March 31, 2017 (TIAA\_NYU\_00030743) by and produced by third-party TIAA.

11. Attached hereto as Exhibit 9 is a true and correct copy of the excerpts from the deposition of Douglas Chittenden taken on November 22, 2017.

12. Attached hereto as Exhibit 10 is a true and correct copy of the CREF Stock Account R3 Fund Fact Sheet, available at <https://www.tiaa.org/public/pdf/ffs/194408126.pdf>, last visited on March 21, 2018.

13. Attached hereto as Exhibit 11 is a true and correct copy of the TIAA Real Estate Quarterly Analysis, Quarter Ending June 30, 2009.

14. Attached hereto as Exhibit 12 is a true and correct copy of the TIAA Real Estate Quarterly Analysis, Quarter Ending December 31, 2011.

15. Attached hereto as Exhibit 13 is a true and correct copy of the TIAA Real Estate Quarterly Analysis, Quarter Ending September 30, 2017.

16. Attached hereto as Exhibit 14 is a true and correct copy of the excerpts from the deposition of Daniel Fischel taken on March 1, 2018.

17. Attached hereto as Exhibit 15 is a true and correct copy of the Fiduciary Due Diligence Report dated December 31, 2010 by Cammack LaRhette (CLC0026207) and produced by third-party Cammack.

18. Attached hereto as Exhibit 16 is a true and correct copy of the Fiduciary Due Diligence Report dated June 30, 2011 by Cammack LaRhette (CLC0027491) and produced by third-party Cammack.

19. Attached hereto as Exhibit 17 is a true and correct copy of the Fiduciary Due Diligence Report dated December 31, 2012 by Cammack LaRhette (CLC0036615) and produced by third-party Cammack.

20. Attached hereto as Exhibit 18 is a true and correct copy of the TIAA Real Estate Account Fund Fact Sheet, available at <https://www.tiaa.org/public/pdf/ffs/878094200.pdf>, last visited on March 21, 2018.

21. Attached hereto as Exhibit 19 is a true and correct copy of the Request for Proposal Results by Cammack LaRhette dated October 28, 20019 (NYU0028189) and produced by Defendant.

22. Attached hereto as Exhibit 20 is a true and correct copy of the Medical Plan Document (CLC0002586) and produced by third-party Cammack.

23. Attached hereto as Exhibit 21 is a true and correct copy of the Faculty Plan Document (NYU0007315) and produced by Defendant.

24. Attached hereto as Exhibit 22 is a true and correct copy of the TIAA Annuity Contract for Plaintiff Herbert Samuels (TIAA\_NYU\_00014751) and produced by third-party TIAA.

25. Attached hereto as Exhibit 23 is a true and correct copy of the Notes from the August 15, 2011 Retirement Plan Committee Meeting (CLC0027671) and produced by third-party TIAA.

Dated: March 28, 2018

/s/ Joel D. Rohlff

Joel D. Rohlff